

**COMPLAINT INVESTIGATION SUMMARY**

COMPLAINT NUMBER:	1959.02
COMPLAINT INVESTIGATOR:	Jane Taylor-Holmes
DATE OF COMPLAINT:	October 1, 2002
DATE OF REPORT:	October 30, 2002
REQUEST FOR RECONSIDERATION:	no
DATE OF CLOSURE:	November 20, 2002

**COMPLAINT ISSUES:**

Whether the Zionsville Community School Corporation and the West Central Joint Services violated:

511 IAC 7-27-7(a) by failing to implement the student's individualized education program (IEP) as written, specifically, by failing to provide the parents with mid-term task analysis or check-off sheets to report student progress.

**FINDINGS OF FACT:**

1. The Student is 14 years old and is in the 6<sup>th</sup> grade at the local middle school (School). The Student is eligible for special education and related services as a student with autism. The Student also has secondary exceptionalities in the areas of communication disorder, moderate mental disability, and orthopedic impairment.
2. The student's IEP goals address Personal Care; Leisure/Recreation; Functional Academics; Domestic Domain; and Behavior. Each goal sheet indicates the schedule for review of progress as "9 weeks." The evaluation procedures are listed as task analysis (TA) and checklists; TA or checklists; and Teacher Observation, TA or Checklists.
3. The bottom of each goal sheet states that the measure of progress is to be reported to parents by "TA's or Checklists & Updated Goals. Further, a narrative section of each goal sheet contains the following statement regarding informing parents of progress. "At 4 ½ weeks. TA's or checklists. At 9 weeks, narrative report accompanied by IEP goal sheets with percentages met. Integrated reports and weekly log reports will continue to be completed."
4. The Complainant received an e-mail message dated September 23, 2002, from the Student's teacher. The subject of the message is "No mid-term report." The teacher wrote, "[Student's] midterm grades are being sent to you. I believe he is getting only a pass on community outings and NG (no grade) for the other classes. The music, art, and I do not have any grades for him for midterm. The music and art teachers do not yet know what to do with him, I am still in the process of doing the academics and technology per the IEP." The teacher continued writing that he had only been in the classroom 9 days and had been unable to get started with the Student because of "logistics" and "the amount of problems I have had to deal with at this time in the class, and the amount of public relations I have had to promote." The teacher concluded the message with "I hope to get started with [Student] this week, if not it will be next week."

5. In a later e-mail message dated September 23, 2002, to the Complainant, the teacher wrote the following. "As stated in the other e-mail, the music, art, and I have no report for you at this time. I believe the P.E. teacher can get yo (sic) a report. We can certainly do this in the future once we are up and running."
6. In an undated letter, the Complainant notified the Superintendent, Principal, and Director of his concern regarding the Student's mid-term period and subsequent lack of evaluation. The Complainant also made reference to the teacher's e-mail messages of September 23, 2002.
7. The Director submitted copies of the Student's daily "task analysis or check-off sheets" beginning August 21, 2002, and up to October 4, 2002. The Director stated in a letter of response dated October 12, 2002, that copies of these sheets were sent home daily beginning on August 21, 2002. An improved format of the sheet that includes a list of the Student's activities began being sent home daily on September 2, 2002. The Director also stated the following regarding the daily sheets. "These exceed the requirement of reporting "TA's or checklists" at mid-grade reporting in our opinion. Nine week reporting will occur during the first week of November. In addition to these daily reports, a daily journal maintains regular communication between home and school."

## **CONCLUSIONS:**

Finding of Fact #2 indicates that the Student's progress is to be reported at nine weeks. Finding of Fact #3 indicates that at mid-term (4 1/2 weeks) TA's or Checklists are to be used to notify the parents of the Student's progress, and a written progress report is to be provided to the parents at nine weeks. Findings of Fact #4 and #5 indicate that the Student's teacher did provide the Complainant with mid-term grades, and that daily TA's or Checklists were sent home, as also indicated in Finding of Fact #3. Therefore, no violation of 511 IAC 7-27-7a) is found.

**The Department of Education, Division of Exceptional Learners requires no corrective action based on the Findings of Fact and Conclusions listed above.**